



MAY 21 2002

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May 21, 2002

WRITER'S DIRECT NUMBER:

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INTERNET ADDRESS:

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Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 10/058,825; Filed: January 30, 2002
For: **Modified Plants**
Inventor: Roderick John SCOTT
Our Ref: 0623.1160001/LBB/GLL

Sir:

In reply to the Notice to File Missing Parts of Application--Filing Date Granted dated March 21, 2002, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17);
2. Copy of the Notice to File Missing Parts;
3. Substitute paper and computer readable copy of Sequence Listing;
4. Letter to PTO Draftsman: Submission of Formal Drawings (Figures 1-12);
5. Second Preliminary Amendment;
6. Copy of the abstract on a separate sheet (page 54)
7. An original Declaration, executed by Roderick John SCOTT;
8. An original executed Power of Attorney from Assignee;

Commissioner for Patents
May 21, 2002
Page 2

9. An original executed Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;
10. One return postcard; and
11. Our check no. 35259 for \$1,632.00 to cover:
\$740.00 for filing fee for patent application;
\$762.00 for excess claim fee; and
\$130.00 for surcharge of late oath or declaration.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.821(f), the substitute paper copy and the computer readable copy of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), the submission of this sequence listing includes no new matter.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longsworth
Gaby L. Longsworth
Agent for Applicant
Registration No. 47,756

LBB/GLL/eaf
Enclosures

SKGF_DC1:16079.1

MAY 21 2002



FEES TRANSMITTAL for FY 2002

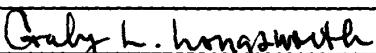
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1,632.00)

Complete if Known

Application Number	10/058,825
Filing Date	January 30, 2002
First Named Inventor	Roderick John SCOTT
Examiner Name	To be assigned
Group Art Unit	1632
Attorney Docket No.	0623.1160001/LBB/GLL

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)														
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> <td colspan="3">Fee Description</td> </tr> </tbody> </table>						Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		
Large Entity	Small Entity															
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description												
<input type="checkbox"/> Deposit Account Number 19-0036 <input type="checkbox"/> Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.		105	130	205	65	Surcharge - late filing fee or oath										
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		127	50	227	25	Surcharge - late provisional filing fee or cover sheet										
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		139	130	139	130	Non-English specification										
<input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* *Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination										
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action										
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action										
		115	110	215	55	Extension for reply within first month										
		116	400	216	200	Extension for reply within second month										
		117	920	217	460	Extension for reply within third month										
		118	1,440	218	720	Extension for reply within fourth month										
		128	1,960	228	980	Extension for reply within fifth month										
		119	320	219	160	Notice of Appeal										
		120	320	220	160	Filing a brief in support of an appeal										
		121	280	221	140	Request for oral hearing										
		138	1,510	138	1,510	Petition to institute a public use proceeding										
		140	110	240	55	Petition to revive - unavoidable										
		141	1,280	241	640	Petition to revive - unintentional										
		142	1,280	242	640	Utility issue fee (or reissue)										
		143	460	243	230	Design issue fee										
		144	620	244	310	Plant issue fee										
		122	130	122	130	Petitions to the Commissioner										
		123	130	123	130	Petitions related to provisional applications										
		126	180	126	180	Submission of Information Disclosure Stmt										
		581	40	481	40	Recording each patent assignment per property (times number of properties)										
		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))										
		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))										
		179	740	279	370	Request for Continued Examination (RCE)										
		169	900	169	900	Request for expedited examination of a design application										
		Other fee (specify):														
		Other fee (specify):														
		*Reduced by Basic Filing Fee Paid														
		SUBTOTAL (3) (\$ 130.00)														
** or number previously paid, if greater; For Reissues, see above																
SUBMITTED BY Complete if applicable																
Name (Print/Type)	Gaby L. Longsworth			Registration No. (Attorney/Agent)	47,756	Telephone	202-371-2600									
Signature					Date	May 21, 2002										

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnc

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/058,825	01/30/2002	Roderick John Scott	0623.1160001

CONFIRMATION NO. 2437

26111
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W., SUITE 600
 WASHINGTON, DC 20005-3934



FORMALITIES LETTER



OC000000007686133

Date Mailed: 03/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$690.
 - \$270 for 15 total claims over 20.
 - \$420 for 5 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1560.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

00 00 00

00 00 00

420.00

130.00

352

The required item(s) identified below must be timely submitted to avoid abandonment:

- Abstract must be on a separate sheet.

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f),

1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Y.G.
A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

SEARCHED - INDEXED - SERIALIZED - FILED